IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO.1496 OF 2000

Copper Chimney Pvt.Ltd. ..Petitioner.

V/s.

Union of India & Ors. ..Respondents.

Mr.E.P.Bharucha with Homi Patel i/b. M/s.Mulla & Mulla for petitioners.

Mr.P.S.Jetly with Y.R.Mishra for respondents.

CORAM : V.C. DAGA AND J.P.DEVADHAR, JJ.

DATED : 15TH MARCH, 2005.

P.C. :-

1. During the course of hearing, it is brought to our notice that the appeal filed by the petitioners before CESTAT challenging the order dated 15/6/2001 holding the petitioners liable for payment of Service Tax is pending. In this view of the matter, we do not propose to go into the merits of the matter because, the findings recorded by this Court either way might prejudice either of the parties. In this view of the matter, keeping all contentions open for consideration and decision of the CESTAT, we dispose of this petition with no order as to costs.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)